

## REMARKS

Claims 26-66 were pending.

In the Final Office Action and subsequent telephone conversations with Applicants' representative, the Examiner indicated that claims 26-44, 52 and 53 would be allowable if amended to recite the elected species of cationic surfactant, *i.e.*, that the cationic softening compound is a fatty ester quaternary ammonium compound.

In an earlier Office Action mailed March 30, 2006, the Examiner had also indicated that original claim 16 (now claim 58) would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (*i.e.*, to be rewritten to depend from claim 45).

Therefore, claim 26 has herein been amended to recite that the cationic softening compound is a fatty ester quaternary compound. Claim 27 has been canceled without prejudice. Claims 28 and 29 have been amended to change their dependence from canceled claim 27 to claim 26.

Claim 45 has been amended to include the limitations of claim 58, which was earlier deemed to be allowable. Claim 58 has accordingly been canceled without prejudice.

Claims 46-66 have been canceled without prejudice. Applicants reserve the right to pursue all of the canceled claims in one or more continuation applications.

New claims 67 and 68 correspond to canceled claims 51 and 52 respectively, with the limitations of the cationic softening incorporated therein. Therefore, no new matter has been added.

Claims 26-45, 67 and 68 are now pending.

### I. Rejections Under 35 U.S.C. § 103(a)

Claims 45-51, 54-57 and 59-66 were rejected under 35 U.S.C. § 103(a) for the reasons set forth in the Final Office Action. As claim 45 has been amended to include the limitations of claim 58 (which was earlier deemed to be allowable), and as claims 46-51, 54-57 and 59-66 have been canceled without prejudice, Applicants respectfully submit that this rejection is moot.

### II. Double Patenting Rejections

Claims 45-51, 54-57 and 59-66 were rejected under the nonstatutory obviousness-type double patenting doctrine for reasons set forth in the Final Office Action. As claim 45

has been amended to include the limitations of claim 58 (which was earlier deemed to be allowable), and as claims 46-51, 54-57 and 59-66 have been canceled without prejudice, Applicants respectfully submit that this rejection is moot.

In light of the present amendments and remarks, it is believed that the claims are now in condition for allowance, early notice of which is earnestly solicited. Should any additional issues remain, the Examiner is invited to contact Applicants' undersigned representative at her telephone number below.

No fees, other than the fee for extension of time, are believed to be due for the filing of this After Final Amendment. However, the Director is hereby authorized to charge any fees due, or credit any overpayments, to Deposit Account No. 03-2455.

Respectfully submitted,

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Enclosures